

09/905,267

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**CONFIDENTIAL ATTORNEY-CLIENT
PRIVILEGED COMMUNICATION**

Date: AUGUST 25, 2003

To: EXAMINER ELIZABETH GEMMELL
U.S. PATENT AND TRADEMARK OFFICE

Fax #: (703) 872-9319

From: FRANK C. NICHOLAS
Fax #: (847) 424.2521

Client/Matter No.: P894US (2650/8)

of Pages: 6
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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Attorney Docket No	P894US (2650/8)
Application Number	09/905,287
Filing Date	JULY 13, 2001
First Named Inventor	VICTOR I. CHORNENKY
Group Art Unit	2882
Examiner	GEMMELL, ELIZABETH

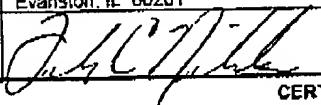
ENCLOSURES (check all that apply)

<input type="checkbox"/> Response to Final Office Action Dated April 23, 2003	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Drawings	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter	<input type="checkbox"/> Petition Routing Slip (PTO/SB/89) and Accompanying Petition	<input type="checkbox"/> Post Card Receipt
<input checked="" type="checkbox"/> One-Month Extension of Time Request (duplic)	<input type="checkbox"/> To Convert a Provisional Application	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below).
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Request for Continued Examination (RCE) Transmittal
<input type="checkbox"/> Information Disclosure Statement, PTO-1449, att	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request of Refund	<input type="checkbox"/>
	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No 50-1713. A duplicate copy of this sheet is enclosed.	
	<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 50-1713. A duplicate copy of this sheet is enclosed.	

CALCULATION OF FEE

	Claims After Amendment		Highest No Previously Paid For	Present Extra	Small Entity		Large Entity	
					Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	x \$9=	0	x \$18=	
Indep		Minus		0	x \$42=	0	x \$84=	\$
					+ \$140=	---	+ \$280=	
First Presentation of Multiple Dep. Claims					total add'l fee	\$ 0	total add'l fee	\$

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FRANK C. NICHOLAS Registration No 33,983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201	Date	August 25, 2003
Signature		Date	August 25, 2003
CERTIFICATE OF FACSIMILE			
I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9319 to the U.S. Patent and Trademark Office on this date:		August 25, 2003	
Signature	FRANK C. NICHOLAS (33,983)	Date	August 25, 2003

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**Request
For
Continued Examination (RCE)
Transmittal**
Address to:
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Box RCE
Washington, DC 20231

<i>Application Number</i>	09/905,267
<i>Filing Date</i>	JULY 13, 2001
<i>First Named Inventor</i>	VICTOR I CHORNENKY
<i>Art Unit</i>	2882
<i>Examiner Name</i>	ELIZABETH M. GEMMELL
<i>Attorney Docket Number</i>	P894US (2650/8)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

a. Previously submittedi. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on JULY 21, 2003
(Any unentered amendment(s) referred to above will be entered).ii. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____iii. Other _____b. Enclosedi. Amendment/Replyiii. Information Disclosure Statement (IDS)ii. Affidavit(s)/Declaration(s)iv. Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(i) required)b. Other _____

3. Fees

a. The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 01-2525i. RCE fee required under 37 CFR 1.17(e)ii. Extension of time fee (37 CFR 1.136 and 1.17)iii. Other _____b. Check in the amount of \$ _____ enclosedc. Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	FRANK C. NICHOLAS	Registration No. (Attorney/Agent)	33,983
Signature			
Date	AUGUST 25, 2003		

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	FRANK C. NICHOLAS	Date	AUGUST 25, 2003
Signature			

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.